

Town of Hampton



AGENDA Board of Selectmen October 15, 2012

Posted: Town Offices, Library, Beach Fire Station

6:30 PM RSA 91-A:2.I(b) Non Meeting with Counsel

7:00 PM Public Meeting – Selectmen's Meeting Room, Downstairs Town Offices

SALUTE TO THE FLAG

- I. Town Clerk and Tax Collector Presentation
 1. Employee Recognition
- II. Public Comment Period
- III. Announcements and Community Calendar
- IV. Appointments
 1. Ed Tinker
 - a. Revised 2012 MS-1
 2. Mary-Louise Woolsey
 - a. Beach Cleaning and Recycling
 3. Chief Sullivan
 - a. Departmental Update
 4. Michael Schwotzer
 - a. Monthly Financials
 - b. Approve 2013 Budget with Medical Changes
 - c. Approved the 2013 Default Budget
 - d. Approve the 2013 Income Budget
 - e. Discuss 2012 Town Tax Rate Setting
- V. Approval of Minutes
 1. September 24, 2012
 2. October 01, 2012
- VI. 2013 Budget
 1. Budget Final Adjustments Approval
 2. Approval of Default Budget

3. Approval of Revenues

VII. Old Business

1. 2013 Warrant Articles

VIII. New Business

1. Question of opening road pavement for construction in Roads paved less than 5-years

IX. Consent Agenda

1. Street Closure – Cranberry Lane Block Party 10/20/12

X. Selectmen's Closing Comments

XI. Adjournment

NOTE: Agenda items, requests for appointments to appear before the Board of Selectmen and/or submissions requiring action by the Board of Selectmen must be received by the Town Manager's Office, in writing, no later than 5:00 PM on the Wednesday prior to the requested meeting date. *Submissions that require review by Departments Heads may not be addressed on the requested meeting date.* Agenda items, appointment requests, and/or submissions requiring action by the Board of Selectmen are subject to confirmation by the Chairman. For more information, please stop by or call the Town Manager's Office at 603-929-5908.

Town of Hampton



Board of Selectmen
October 15, 2012

PRESENT: Richard Griffin, Chairman
Richard Nichols, Vice Chairman
Michael Pierce, Selectmen
Philip Bean, Selectmen
Ben Moore, Selectmen
Michael Schwotzer, Acting Town Manager

6:30 PM RSA 91-A:2.I(b) Non Meeting with Counsel

SALUTE TO THE FLAG

I. Public Comment Period

Brian Warburton came to speak tonight about charges involving the State. He is a little distressed that no one from this Board contacted him who has over 30 years of service to obtain his opinion on this subject. He also questioned if the Building Department ever got a new truck and Mr. Schwotzer addressed his concerns in regards to the Building Department's vehicles.

Carol Arnold, 32 Towle Ave, recently purchased this property with the intention to convert to gas. She expressed concerns with the fact that the Town has denied their street opening permit and she explained that the permit was denied as Towle Avenue was recently paved and has a moratorium on it.

II. Town Clerk and Tax Collector Presentation

1. Employee Recognition

Town Clerk Jane Marzinzik and Tax Collector Donna Bennett (who was unable to attend the meeting) is here tonight to recognize Deputy Town Clerk Shirley Doheny and Deputy Tax Collector Vivian Considine. It was explained to the Board the Joint Certification Program which Shirley and Vivian have participated in and the individual test that each must take to continue in the program and that they were the only recipients who received a score of 100% on their respective tests. Mrs. Marzinzik presented them both with a certificate.

III. Announcements and Community Calendar

Mr. Pierce announced the Art Walk was a great success.

Mr. Moore announced the Art Walk and Tavern Walk were both a great success. He congratulated Ryan Lamers on obtaining the rank of Eagle Scout. And yesterday was the 374th Anniversary of the Town.

IV. Appointments

1. Ed Tinker
 - a. Revised 2012 MS-1

Here to present the Board with a revised MS-1 Form resulting in a change net valuation taxable value by just over \$8M.

Mr. Moore MOTIONED to APPROVE the Revised 2012 MS-1 with the net valuation of \$2,746,916,000. Mr. Bean SECONDED.

VOTE: 5-0-0

2. Mary-Louise Woolsey
 - a. Beach Cleaning and Recycling

Ms. Woolsey discussed with the Board the following topics: waste and recycling, Recycling Committee should be providing an updated policy to the Board later this week, raking the beach, beach raking pile at the dump, picking up waste on private property, the Town's failing at targeted goal on recycling, cost of taxpayer on serving the beach, commended Mr. Noyes on the cleanup at the dump; would like the Board to draft an amendment to the waste ordinance for the voters to vote on in March, need to be proactive in protecting the public from this unnecessary hazard and expense from the State, goal tonight is to engage the Board in a conversation yielding positive results for the taxpayer and she ask the Board for a timely resolution to these problems.

Discussion

The following members of the Board asked questions and made comments which were addressed by Ms. Woolsey.

Mr. Pierce made a comment on the language in the transfer of the deed from the Town to the State. Ms. Woolsey has a real problem with the State allowing people to trash this Town.

The following comments were made by Mr. Bean: the Town is grateful for both Mr. Warburton and Ms. Woolsey for their many years of service to the Town, relationship with the State is one that the Town has not managed well, depreciation of vehicles is not being done, department heads are working hard on a balancing act and confident that they will achieve the end result with the State that everyone is looking for. Ms. Woolsey reminded everyone that the State is not complying with the mandatory recycling that the Town is attempting to enforce.

Chairman Griffin thanked Ms. Woolsey and this is an ongoing thing that the Board is working on.

The following comments were made by Mr. Nichols: commingling of trash from the beach, trash/recycling barrels both present at the beach and no longer allowing State 5000 lbs. of trash for free.

3. Chief Sullivan
 - a. Departmental Update

Chief Sullivan commented on the following items in his report: personnel update, process of hiring part time officers, training that has taken place and detailed breakdown on activities.

Discussion

The following members of the Board asked questions and made comments which Chief Sullivan addressed.

Mr. Pierce asked about and made comments as follows: stats on number of arrest and candidates for part time officers.

Mr. Bean asked about and made comments as follows: great job done by their guys and thanked him for the stats on the calls for service on State property.

Mr. Nichols asked about the money in budget for the special project in regards to part time officers.

Chairman Griffin asked about the Pig Roast at Wally's and progress made in regards to residents complaining about this location.

4. Michael Schwotzer
 - a. Monthly Financials

Mr. Schwotzer presented the Board with the September financial reports which are available on the Town website.

Discussion

The following members of the Board asked questions and made comments as follows which Mr. Schwotzer addressed.

Mr. Moore asked questions and made comments as follows: when R&M tax comes in from the State and interest on deposits.

Mr. Pierce asked about the Federal revenue grant line and sub-grant.

Mr. Nichols asked questions and made comments as follows: Real Estate Trust Fund budget expected to come in over, change in year to date forecast, tipping fees being reduced by Budget Committee last year and where we are currently at with tipping fees.

- b. 2012 Town Tax Rate Setting

Mr. Schwotzer explained to the Board the information he has put together in regards to setting the tax rate. He would like the Board to have a target tax rate of \$7.21.

Discussion

Mr. Nichols would like to use the Undesignated Fund Balance with the objective of achieving a flat tax rate.

The following comments were made by Mr. Moore: use of Undesignated Fund Balance earlier in year to fund warrant articles, originally stated he was uncomfortable using anything from the Undesignated Fund Balance, underspent amount of current budget, desire to have linear adjustments to the tax rate and no logic behind not using UFB with predicted year end savings not having a projected flat tax rate.

The following comments were made by Mr. Pierce:: not sure that he is comfortable using Undesignated Fund Balance, saving it for future use sharing ways it can be spent and rather see the small increase in the tax rate.

The following comments were made by Mr. Bean made comments as follows: thinks the Town has done good work with Infrastructure and if the Town can afford to use the Undesignated Fund Balance that is fine.

Mr. Nichols MOTIONED to instruct the Finance Director in the conjunction with setting the 2012 Town Tax Rate with DRA; to use the Undesignated Fund Balance to the extent necessary to achieve a municipal tax rate of \$7.13. Mr. Moore SECONDED.

VOTE: 4-1(Pierce)-0

- c. Approved the 2013 Default Budget
- d. Approve the 2013 Income Budget

The above items were discussed under VI. 2013 Budget

V. Approval of Minutes

1. September 24, 2012

Page 10, 2nd paragraph, 6th line, remove "this type of" and replace with "a public" under Discussion of New Business insert "2012" before the word "Impact"

Mr. Moore MOTIONED to APPROVE the minutes of September 24, 2012 as amended. Mr. Pierce SECONDED.

VOTE: 5-0-0

2. October 01, 2012

Mr. Pierce MOTIONED to APPROVE the minutes of October 01, 2012. Mr. Bean SECONDED.

VOTE: 5-0-0

VI. 2013 Budget

1. 2013 Budget Final Adjustments Approval

Mr. Schwotzer provided the Board with an adjustment summary which includes the medical insurance rate of 3.8%; the budget is 24,603,332, which is 0.34% increase over the 2012 budget.

Discussion

The following members of the Board made comments and asked questions which Mr. Schwotzer addressed.

The following comments were made by Mr. Nichols: thinks we should go forward with the proposed budget, increase in net of Debt Service is about \$800k or 3.75%, very frugal budget, NHRS rates and CBA cost, health insurance went down for the first time, potential impact of LGC return and issue of assessing records in regards to microfilm and the statute. Mr. Schwotzer did discuss in further detail the impact of the LGC return.

Mr. Moore suggested Mr. Schwotzer show the LGC return as revenue for 2013,

The following comments were made by Mr. Pierce: need to have the electronic assessing records stored off-sight, insurance for Library employees changing to new plan being

presented to all other Town employees and some of the LGC money return belongs to employees.

Mr. Moore MOTIONED to APPROVE the Budget \$24,603,332 be submitted to the Budget Committee. Mr. Nichols SECONDED.

VOTE: 5-0-0

2. Approval of 2013 Default Budget

Mr. Schwotzer went through the changes made to the 2013 Default Budget.

Discussion

Mr. Nichols is in concurrence with this budget.

The following comments were made by Mr. Moore: increase in amount for hydrants and default number is lower, like to see this line item for hydrants in default budget to be increased and went through the rules in regards to whether or not this can be done. Mr. Schwotzer explained how the Board can do this if that is what they chose to do. Some reasons that they might not want to do this now, if this is added into Default Budget it will be equal to the proposed budget. Atty. Gearreald joined the Board to discuss the Aquarion increase in greater detail for the Board.

There was an additional discussion on the rate increase and the amount. If they decide to change the amount in Default Budget to reflect the increase in hydrant costs, there will only be \$100 difference between the two budget amounts.

Mr. Moore MOTIONED to APPROVE the 2013 Default Budget in the amount of \$24,603,429. Mr. Pierce SECONDED.

VOTE: 5-0-0

3. Approval of 2013 Revenues

Mr. Schwotzer went through the revenues for the Board. The amount he is proposing is \$6,094,921 which is \$42,000 more than what was approved in last year's budget.

Mr. Pierce MOTIONED to APPROVE the 2013 Revenues. Mr. Moore SECONDED.

VOTE: 5-0-0

VII. New Business

1. Question of opening road pavement for construction in Roads paved less than 5-years

Discussion

Mr. Nichols stated that they have a request from the resident at 78 Tide Mill Road and have received today the alternative procedure for excavation repairs in roads paved within 5 years.

The following comments were made by Mr. Moore: that the cost will have to be absorbed by someone whether it is the utility company or resident, how long the residents of Tide Mill Road waited to have the road paved and if going to make an exception the road needs to be repaired as Mr. Noyes has proposed.

Chairman Griffin commented in the past when this was done the utility company had to post a bond.

Mr. Schwotzer commented that the Town has bonds with all the utility companies.

There was a discussion in regards to the cost and it will be between the utility company and the property owner.

Resident of 78 Tide Mill Road came forward to discuss the process they have been through and the reasons they wish to convert to gas.

Mr. Pierce commented on the sad part here is that the residents were not informed prior to purchasing the property.

Mr. Nichols commented that the alternative procedure from DPW Director will be helpful in this type of situation but it will cost someone other than the Town.

Alternative Procedure for Excavation Repairs in Roads Paved Within 5 Year Moratorium

When approved, the excavation and pavement repair shall be performed in accordance to the following requirements:

1. Contractor shall immediately perform excavation repairs in accordance with typical requirements
2. Following two winter seasons the contractor shall saw cut and remove all asphalt 1 foot beyond the perimeter of the existing excavation.
3. The contractor shall bring and compact existing sub-surface to grade with stone dust.
4. The contractor shall place 2 inches of asphalt pavement base (3/4 inch aggregate).
5. The contractor shall place 1 inch of asphalt pavement top (1/2 inch aggregate).
6. Following the next winter season the contractor shall apply high quality (as approved by the Public Works Department) crack sealer along entire asphalt joint.
7. Contractor will be responsible to ensure the asphalt joint and patch is properly maintained for a 5 year period following the initial excavation.
8. Optional implementation of requiring a diamond cut patch

These requirements are in addition to typical Hampton Public Works requirements for street excavations.

Mr. Nichols MOTIONED to AUTHORIZE the TM and the DPW Director to implement the [determine when to grant/allow a street opening permit in accordance with] Alternative Procedural Requirements for Excavation Repairs in Road Paved within Five Years as conveyed to the BOS today. Mr. Pierce SECONDED.

VOTE: 5-0-0

VIII. Old Business

1. 2013 Warrant Articles

Discussion

The following comments were made by Mr. Nichols: projected tax rate with warrant articles being proposed is \$7.68 or 6.5%, forecast for future years, too much being proposed, DPW's ability to manage all these projects, need to resolve the items we have taken on before taking on too many new things and would like to strike a few from the list.

Mr. Pierce thinks Mr. Nichols has made a good point.

Chairman Griffin suggested that Mr. Nichols go through the ones he thinks should be removed.

Mr. Nichols suggested removing the following items and provided reasons why: capital reserve fund for Fire at \$150,000, rear packer at \$125,000 and sewer and drain building at \$500,000. The final one that concerns him is the \$300,000 for the design of the underground infrastructure on Exeter Road and he shared why this one bothers him.

Chairman Griffin suggested that they take these items one by one.

Fire Capital Reserve

Mr. Moore is in support of the capital reserve for the Fire Department in the amount of \$150,000.

Mr. Pierce would go along with Mr. Nichols and remove the capital reserve for the Fire Department.

Mr. Bean is very frustrated with all of this and believes very strongly in the fact that if the Board was to address the issues with the State it would help. He believes all these items should go forward to the voters.

There was a 3-2 consensus amongst the Board to leave the capital reserve for Fire.

DPW Packer

Mr. Pierce commented on the study being done on trash/recycling, use of side arm trucks and therefore is against this one.

Mr. Moore commented that the Public Works Department has not made a good argument as to why this is needed and rear loaders are more versatile, it is a better choice as the backup packer.

There was a consensus amongst the Board that this article for the packer would not go forward.

\$300,000 for Exeter Road - Road Improvements

Mr. Pierce would like to see this moved back a year at this point.

Mr. Nichols stated he is in favor of putting money in the Road Capital Reserve Fund.

Mr. Moore would be in favor of putting it in the Road Capital Reserve Fund.

Chairman Griffin stated that they are going to send this article back for some more work by Mr. Welch and Atty. Gearreald.

Sewer/Drains/Wash-down building

Mr. Pierce is ok with the wash down bay but not in favor of spending the whole \$500,000 for all the garages.

Mr. Moore is in favor of the full size as proposed and reminded everyone that the DPW is supposed to come back with some amounts for reductions in cost after removing one bay.

Mr. Bean is in support of the article and the comments made by Mr. Moore.

Mr. Nichols reiterated that he is not just concerned with the impact on the tax rate but thinks that there are too many things going on for this particular department.

There was a consensus amongst the Board to move this article forward.

Chairman Griffin suggested that the Board go through the remainder of the articles in order.

Mr. Nichols and Mr. Moore discussed the impact of the tax rate.

Demolition of the Old Court House

Mr. Moore thinks that changes need to be made in the wording and he made his suggestions. He is not in favor of this article.

Mr. Bean and Mr. Pierce are fine with this going forward to the voters.

Mr. Nichols is expecting to see a smaller amount come forward prior to the final draft of this article and the need for dates to be put on all the articles so the Board knows which copy is the most recent.

There was a consensus amongst the Board that a date should be added to revised copies of the articles for the Board.

The article for dedication of the Selectmen's Meeting Room was scratched by the Board.

Winnacunnet/Lafayette Road intersection

Mr. Moore commented on the wording being worked on.

Mr. Pierce has a big problem with the whole project and gave his suggestion once again making the spur one way.

New Ball Fields

Mr. Bean is opposed to the project but not opposed to it going forward.

Mr. Nichols would like to look for some other funding options for this.

Mr. Moore thinks it should be put forward to the voters and possible funding from Parking Lot Revenue.

Chairman Griffin is in favor of putting this forward to the voters.

Mr. Pierce is not in favor of this article and he shared some reasons why.

Office space at Tuck Field

Mr. Nichols thinks the Board still needs more information on this article before any decisions are made.

The Board agreed this article still needs more work.

Chairman Griffin went through the remainder of the articles and the Board was fine with these articles.

Mr. Nichols stated they are at a 5.9% increase after removing the one item. He does not think this total amount is reasonable.

Other Old Business

Mr. Bean stated the audit came in and he would like the auditors to come in and speak to the Board. He shared some of the reasons why he is suggesting this.

There was a discussion on how they can handle this and when it would be good to meet with the auditors.

Mr. Nichols reminded the Board that they need to address the issue of parking at the end of High Street.

Mr. Nichols also suggested that they may want to start setting up who will be covering the polls.

Chairman Griffin commented that Tony Ciofi would like to be on the agenda next week.

IX. Consent Agenda

1. Street Closure – Cranberry Lane Block Party 10/20/12

Mr. Pierce MOTIONED to MOVE the Consent Agenda. Mr. Nichols SECONDED.

VOTE: 5-0-0

X. Selectmen's Closing Comments

XI. Adjournment

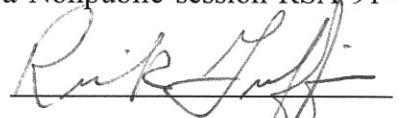
Mr. Pierce MOTIONED to adjourn the public meeting. Mr. Nichols SECONDED.

VOTE: 5-0-0

And;

On motion made by Mr. Nichols and seconded by Mr. Moore to enter into a Nonpublic session RSA 91- A:3.,II.,(a).

By roll call vote, the Board voted unanimously to enter into a Nonpublic session RSA 91- A:3.,II.,(a)


Chairman

Town of Hampton



Minutes of Board of Selectmen Non-Public Meeting

October 15, 2012

Present:

Rick Griffin, Chairman
Richard Nichols, Vice-Chairman
Mike Pierce, Selectman
Ben Moore, Selectman
Phil Bean, Selectman
Michael Schwotzer, Finance Director

At 9:34 p.m. a motion was made by Richard Nichols to go into a non-public session under RSA 91-A:3, II (a), this motion was seconded by Ben Moore. A roll call vote was taken, and all 5 Selectmen were in favor.

Mr. Schwotzer explained that the purpose of this meeting was to consider offering one of the non-union employees a second chance to accept a salary adjustment in exchange for changing their health insurance. At the time of the initial offer, a family situation precluded them from making an informed decision.

The Board discussed the particulars of the offer and the overall situation. It was agreed that Mr. Schwotzer should contact the employee and make the same offer again to see if the employee would change their decision.

The non-public meeting was adjourned at 9:43 p.m.

Richard Griffin, Chairman